REMARKS

Claims 1-11 stand rejected under 35 U.S.C. 103(a) as obvious over Borchardt et al., U.S. Pat. No. 6,215,981 (Borchardt) in view of Divon et al. U.S. Pat. No. 6,301,513 (Divon) in that it would have been obvious to apply the technique of Divon to the communication system of Borchardt in order to provide a vocal information system with the capability of retrieving and playing digital and audio data.

Applicants respectfully traverse this holding. Nothing in Borchardt or Divon, separately or combined, renders obvious the use of a manual selector switch, on a wireless receiver receiving an encoded digital bitstream, for selecting one or more audio input channels to be decoded and demultiplexed from that bitstream and played in accordance with control data disbursed through the digital bitstream as claimed in the wireless audio distribution system claimed in claim 1 as amended.

Claim 1 has been amended to clarify that the receiver includes the manual selector switch and the sound producing device and that the operation of the manual selector switch changes the operation of the receiver rather than the transmitter as taught by Divon. Claims 3 and 4 have been amended for increased scope in light of the amendments made to claim 1.

Regarding claims 1, 2 and 4, the Examiner has held that Borchardt discloses a wireless audio distribution system comprising a wireless transmitter responsive to a plurality of audio input channels for transmitting an encoded digital bit stream serially combining each of the audio input channels, the encoded digital bitstream further control data disbursed therein

and a receiver, responsive to the transmitted encoded digital bit stream, for decoding and demultiplexing the digital bit stream.

Applicants respectfully specifically traverse the Examiner's holding, which cited col. 7, lines 6-33 and col. 7, line 44 to col. 8, line 10, that Borchardt teaches a wireless transmitter for transmitting an encoded digital bitstream serially combining each of a plurality of audio input channels. In particular, Borchardt teaches the use of a transmitter for transmitting multiplexed stereo audio signals over a frequency band extending from about 902 MHz to 928 MHz (col. 7, lines 8-10). As noted at col. 1, lines 52 to 67, a multiplexed stereo signal is a conventional signal which is the combination of a subcarrier suppressed first signal in which right and left audio channels have been added, a subcarrier suppressed second signal in which right and left audio channels have been subtracted and a pilot signal at one half the frequency of the suppressed subcarrier. The multiplexed stereo signal is then used to modulate a carrier for transmission.

That is, Borchardt teaches the transmission of analog audio signals transmitted as parallel components of a frequency modulated signal rather than the transmission of an encoded digital bitstream in which audio input channels are serially combined.

Applicants also respectfully specifically traverse the Examiner's holding, which cited col. 5, line 29 to col. 6, line 46; col. 7, lines 26 to 65; and col. 9, line 20 to col. 10, line 21, that Borchardt teaches a wireless transmitter for transmitting an encoded digital bitstream including control data

disbursed therein or a receiver for decoding and demultiplexing the digital bitstream.

As noted for example in col. 6, lines 14 to 28, and as discussed above, Borchardt teaches the transmission of analog audio signals transmitted as parallel components of a frequency modulated signal rather than the transmission of an encoded digital bitstream in which audio input channels are serially combined. In particular, as noted in col. 10, lines 14 to 21, the output of the stereo multiplexer is used to frequency modulate a 913 MHz carrier. Borchardt therefore does not teach the transmission or reception of an encoded digital bitstream nor one in which audio input channels are combined.

Applicants note with appreciation that the Examiner has also held that Borchardt does not disclose a manual selector switch connected to the receiver for selecting one or more of the audio input channels to be reproduced and a sound-producing device for selectively reproducing the one or more selected audio channels in accordance with the control data.

The Examiner has further held that Divon shows in Fig. 23A, a wireless remote controller that transmits commands to a remote control receiver which converts the command information to an audio signal which is then transmitted to the listener.

As noted by the Examiner, the wireless remote controller of Divon alters the signals which are transmitted to the listener. That is, although the wireless remote controller of Divon may be used by the listener to alter what is being reproduced for the listener, the altering is done by changing the operation of the transmitter rather than the operation of the receiver.

The Examiner has held that it would be obvious to apply the techniques of Divon to the communication system of Borchardt to provide a vocal information system with the capability of retrieving and playing digital and audio data.

Applicant respectfully specifically traverses this holding of obviousness because the combination of the Divon techniques with the communication system of Borchardt would not provide a wireless transmission device as claimed in claims 1, 2 and 4.

In particular, Borchardt as modified by Divon would at most teach the use of a wireless remote controller for changing the operation of the transmitter in an audio distribution system. Nothing in Borchardt or Divon, singly or in combination, would teach or suggest a wireless audio distribution system in which a manual selector switch is provided in the receiver for selecting one or more of the audio input channels to be decoded and demultiplexed from the transmitted encoded digital bitstream received in the receiver to be reproduced as sound accordance with the control data as claimed in claim 1 as amended. Claims 2 through 11 are dependent on independent claim 1.

If this rejection is maintained, Applicants respectfully request that the Examiner point out with particularity disclosure in Borchardt or Divon which teaches or suggests each of the following in a wireless audio distribution system:

- a wireless transmitter transmitting an encoded digital bitstream serially combining each of the audio input channels,

- the encoded digital bitstream including control data disbursed therein with the serially combined audio input channels,
- a receiver responsive to the encoded digital bit stream
- a manual selector switch for selecting one or more of the audio input channels to be decoded and demultiplexed from the transmitted digital bitstream,
- a sound producing device for selectively reproducing the audio input channels decoded and demultiplexed from the transmitted digital bitstream in accordance with selection by the manual selector switch.

Applicants have reviewed the sections of Borchardt and Divon cited by the Examiner and had not found any support for the rejection of claim 2 as obvious over Borchardt in view of Divon. In particular, no aspect of the auto-off circuit automatically disconnecting power from the receiver when reproducible data from none of the audio input channels has been received for a predetermined time period, as claimed in claim 2, was supported or discussed in the Office Action.

Similarly, the Examiner has not cited any support for the rejection of claim 4 as obvious over Borchardt in view of Divon. In particular, no aspect of the circuit for muting the selected audio channels in response to a predetermined number of error events, as claimed in claim 4, was supported or discussed in the Office Action.

Regarding claim 3, Applicants respectfully traverse the Examiner's holding that Borchardt as modified renders obvious a wired distribution system wherein the sound producing device further comprises a comparator for comparing two segments in

different fixed positions within the bit stream to detect an error event. Applicants have carefully reviewed the Examiner's citation at col. 5, line 29 through col. 6, line 46; col. 7, lines 26-55 and col. 9, line 20 to col. 10, line 21, both in Borchardt and in Divon and are unable to find any support for a holding of obviousness regarding a comparator for comparing segments in a digital bitstream to detect an error event.

Similarly, regarding claims 5 through 11, no support for the rejections can be found in the cited paragraphs of Borchardt or Divon.

Applicants respectfully requests that the rejections be withdrawn. If these rejections are repeated, applicants request that sufficient specificity in the rejection be included in a non-final action so that applicants may present appropriate arguments regarding the specific rejection.

Applicants respectfully request that the Examiner reconsider the rejections in light of the amendments, and remarks presented herein and pass this case to issue.

Respectfully Submitted,

/Norman E. Brunell Reg. #26533/
Norman E. Brunell, Reg. No. 26,533

IRELL & MANELLA LLP
Customer No. 29000
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067-4276
(310) 277-1010
(310) 203-7199 Facsimile
nbrunell@irell.com